No. R. 4005—L. S. 70-06-7, dated 22nd December 1910.

The accompanying Proceedings of the Government of His Highness the Maharaja of Mysore are hereby published for general information.

By Order,
C. S. BALASUNDARAM IYER,
Officiating Secretary to Government, General and Revenue Departments.

READ—

1. Government Order No. R. 5447-56—L. S. 9-06-4, dated the 28th November 1906, directing that applications from inamdars for the extension of the provisions of Chapters VIII to X of the Land Revenue Code into their inam villages be submitted to Government through the Revenue Commissioner:—

"Read letter No. 3794 of the 15th October 1906, from the Revenue Commissioner in Mysore, stating that at present proposals for the introduction of survey settlement into alienated villages are being submitted to Government direct by the Survey and Settlement Commissioner without reference to the Revenue Commissioner, and requesting orders as to whether such cases are not Revenue matters in which he (the Revenue Commissioner) should be consulted before orders of Government are passed thereon.

ORDER THEREON.—Government agree that cases of the kind referred to should come up to Government through the Revenue Commissioner. They accordingly direct that, in future, all applications from the holders of alienated villages for the extension to such villages of the provisions of Chapters VIII to X of the Land Revenue Code, be presented in the first instance to the Deputy Commissioner of the District, who will, if no objection exists to the application being sanctioned, take the necessary mutchalikas or agreements, and forward them with his report to the Revenue Commissioner. The latter will submit them with his opinion to Government for orders. When orders are passed by Government sanctioning the application, the Survey and Settlement Commissioner will take the necessary action in the matter."

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2. *Letter No. 7, dated the 27th May 1907, from Col. J. P. Grant, Survey and Settlement Commissioner in Mysore, to the Secretary to the Government of His Highness the Maharaja of Mysore, General and Revenue Departments.*

I have the honor to submit for the orders of Government letter No. 287, dated 20th November 1906, from the Deputy Superintendent, Revenue Survey and Settlement, on the subject of the procedure when inamdars apply for the introduction of the survey and settlement into their villages.

2. The procedure to be adopted in submitting applications from the holders of alienated villages for the extension to such villages of the provisions of Chapters VIII to X of the Land Revenue Code, was laid down in Government Proceedings No. R. 5447-56—L. S. 9-06-4, dated 28th November 1906. The present reference is with regard to the action to be taken by the Survey Department after orders have been passed by Government sanctioning the application.

3. There are two phases of difficulty:—(i) the taking up for detail survey of the villages concerned precisely at the time the holders of the same choose to apply, thereby entailing inconvenience and loss to Government who bear all the cost, and to the inamdar himself because the rates must be assimilated to those *sanctioned* by Governmenttin neighbouring Sirkar villages and (ii) the want of co-operation, sometimes unavoidable, sometimes deliberate, on the part of the inamdars.

4. As regards the first point, it is clear that the detailed survey and settlement of inam villages must be expensive in proportion to their scattered and isolated position and their remoteness from the *locale* of survey operations generally. The last-mentioned is the most serious factor, for if the work lies out of the regular sequence of operations the travelling of both men and officers and, in the matter of announcing the rates, of some Revenue officer also, is greatly increased, to the detriment of more important work. Carried out *pari passu* with the ordinary survey, now entirely resurvey, operations, the detailed survey and settlement of inam villages is both cheap and effective. It is of course also evident that it is to the Inamdar's advantage that the rates in his village should be assimilated to those most recently sanctioned by Government in neighbouring Sirkar villages.

5. As regards the second point, namely, want of co-operation, Mr. Shama Rao who, if any one, is entitled to be credited with a knowledge of the subject, explains, at para 3 of his letter, why survey operations do not proceed smoothly in inam villages, especially in those out of the regular sphere of survey operations and it is needless for me to go over the same ground again.

6. The promulgation of the Order of Government quoted at para 2 above, laying down that the Revenue Commissioner should forward applications, for the extension of the provisions of Chapters VIII to X of the Land Revenue Code, for the final orders of Government, necessitates some modification of the Rules suggested by Mr. Shama Rao which I think might now read as follows :—

(i) When Government have published their sanction to the application of the holder of an inam village for the extension to such village of the provisions of Chapters VIII to X of the Land Revenue Code, the Superintendent of Survey will give the work (to follow), its proper place in the Survey programme, with due regard to economy and urgency. In the event of the taluk in which the inam village is situated being nearly ready for revision, the Superintendent of Survey will be responsible for timing operations in the latter, in the manner most advantageous to Government as well as to the inamdar.

(ii) The holders of the alienated village concerned shall be called upon to deposit such sum as may be fixed by the Superintendent of Survey to cover the cost of paid labour that may have to be put on for measurement and erection of boundary marks, in case the inamdar or his raiyats fail to render timely help. If such help be rendered, the amount deposited will be refunded to the inamdar, on completion of the work, either wholly or such balance of it as may remain after defraying the cost of labour rendered necessary. Any sum thus expended on labour will be refunded to the inamdar after it is recovered from the raiyats concerned through the Revenue authorities under the provisions of the Land Revenue Code.

(iii) The inamdar or his agent and the village servants shall be bound to remain in the village during the progress of measuring and classing operations and render every reasonable help towards the speedy completion of the work.

7. The Survey Department will, of course, take no action until Government have notified the extension to the villages concerned of the necessary provisions of the Land Revenue Code but the nearness or otherwise of the revision settlement may perhaps be considered by the Revenue Commissioner in the recommendation to be made to Government in the case of any village as required by the Proceedings of 28th November 1906 quoted at para 2 above.

(ENCLOSURE TO THE ABOVE.)

Letter No. 287, dated 20th November 1906, from D. Shama Rao, Esq., Deputy Superintendent, Mysore Revenue Survey, to the Survey and Settlement Commissioner in Mysore.

With reference to para 6 of the Mysore Government Proceedings No. R. 2656-67—L. S. 53-05-3, dated 30th August 1906, reviewing the Annual Progress Report of the Mysore Revenue Survey Department for the year ending 31st October 1905, *in re* alteration in the present practice relating to the detail survey of inam villages when the inamdars are desirous of introducing survey and settlement into their inam villages, I beg to submit the following for your consideration and orders.

2. When inamdars apply in writing for the introduction of survey and settlement, the Government, on the recommendation of the Survey and Settlement Commissioner, extend the provisions of Chapters VIII to X of the Land Revenue Code to such villages. The introduction of a survey settlement confers on their raiyats all the rights with their attendant responsibilities, enjoyed by holders of land in unalienated or Government villages. In view more of these benefits conferred on raiyats of inam villages, the Government, I think, bear the cost of establishment charges connected with the introduction of survey and settlement. It is only when inamdars object to the introduction of rates fixed, they are called upon to bear the charges of these operations.

3. Most of the inam villages for which applications have been hitherto received are scattered over several taluks and far away from taluks, the resurvey operations of which are shortly to be taken up. Measurers sent to such villages will therefore be far away from the camps of measuring assistants and be beyond their personal supervision. Inamdars generally apply for introduction of survey settlement when they find that the relationship between them and their raiyats is strained and difficulties for collection of their land revenue are increasing. When measurers are sent to these villages for carrying out survey, they are looked upon by raiyats with no friendly eye. The raiyats, at the start, decline to co-operate,

shifting the burden on inamdars, or if they consent to co-operate, they show apathy and greatly retard progress. The inamdars are, very often, unable to give any assistance, as they have no hold on their raiyats. The taluk authorities can do nothing in the matter as they have no direct concern with the raiyats of inam villages. In several cases, the measurers lose their valuable time in seeing preliminary arrangements completed; and thus the measurement of inam villages scattered over several taluks will seriously affect the outturn of resurvey work by Measuring and Classing Establishments, causing unnecessary loss to Government.

4. The suggestion contained in para 13 of the Annual Progress Report referred to above will solve our Departmental difficulties to a great extent. But, there may be instances in which the postponement of survey and settlement until the taluk is taken up for resurvey, may cause hardship to inamdars or their raiyats or to both.

5. As a remedial measure, I beg to submit the following draft rules for your consideration:—

"I. Inamdars who apply for the introduction of survey and settlement into their inam villages, shall be called upon to deposit such sum as may be fixed by the Survey and Settlement Commissioner to cover the cost of paid labor that may be put on, for measurement and erection of boundary marks, in case the inamdar or his raiyats do not render timely help. If the inamdar or his raiyats render ready and prompt help to survey operations, the amount deposited will be refunded to him on completion of work. If, on the contrary, paid labor has to be put on, the amount spent on this account will be refunded to him, after it is recovered from the raiyats concerned through the Revenue authorities under the provisions of the Land Revenue Code.

"II. The inamdars or their agents and the village servants shall be bound to remain in their villages, during the progress of measuring and classing operations and render every reasonable help in speedy completion of the work of their villages.

"III. The detail survey of inam villages will not be taken up if there be a near prospect of resurvey operations of the taluks in which the inam villages are situated, being commenced. The decision of the Survey and Settlement Commissioner shall be final on this point."

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3. Letter No. 9014, dated the 14th March 1910, from Rajakaryapravina A. Rangaswami Iyengar, Esq., B.A., B.L., Revenue Commissioner in Mysore, to the Secretary to Government, General and Revenue Departments.

Adverting to your letter No. R. 10432—L. S. 70-06-2, dated 5th June 1907, forwarding for my opinion Survey and Settlement Commissioner's letter No. 7, dated 27th May 1907, suggesting certain rules of procedure to be adopted when inamdars apply for the introduction of survey and settlement into their inam villages, I have the honor to state that the difficulties represented by the Survey Department are quite real and the rules proposed by Colonel Grant may, with advantage, be adopted with slight modification as indicated below.

2. The general tendency of inamdars is to postpone applying for introduction of survey and settlement into their villages indefinitely and to lose opportunities, even when they present themselves, of having the same carried out with ease. It is therefore doubtful whether any progress can be achieved in this direction by following the procedure indicated in para 1 of the rules proposed by Colonel Grant. There is of course no difficulty if the inamdar is agreeable to wait till the resurvey operations take place in the taluk to which his village belongs. But if he wants it to be carried out earlier, it does not appear proper to ask him to wait till the resurvey, which, in the case of taluks recently settled, means a long period. I would therefore modify the rule so as to give the inamdar the option of waiting till resurvey or of bearing the excess cost (to be estimated by the Survey Superintendent) likely to be incurred on account of the survey operations having to be carried out at other than the time fixed for resurvey.

3. As regards the form of mutchalika to be executed by the inamdars when applying for the introduction of survey and settlement to their villages, received with your letter No. R. 8969—L. S. 62-06-1, dated 3rd April 1907, I have the honor to state that para 2 of the conditions prescribed in the mutchalika appears to be superfluous, as there is provision in the Land Revenue Code for the same (*vide* Sec. 16). This para may therefore be conveniently omitted and a fresh para added making the inamdar liable for extra cost in cases of the kind referred to in para 2 above.

4. The enclosures to your letter under reference are returned herewith.

No. R. 3762-72—L. S. 70-06-6, DATED BANGALORE, 12TH DECEMBER 1910.

ORDER THEREON.—The existing procedure regarding the introduction of survey and settlement into inam villages has been explained by Colonel Grant in his letter No. 1842, dated the 10th June 1902, which is printed in the preamble to Government Order No. R. 2123-4, dated the 13th November 1902. By Government Order No. R. 5447-56—L. S. 9-06-4, dated the 28th November 1906, the responsibility of deciding whether the application for the introduction of survey and settlement should be granted has been transferred to the Revenue Department and the Survey Department is now concerned only with the execution of the operations connected with the introduction of the survey and settlement. The form of mutchalika then prescribed has also to be amplified. Government are therefore pleased to issue the following rules indicating the procedure to be adopted for the introduction of survey and settlement into inam villages :—

I. On receipt of an application from the holder of an alienated or kayamgutta village, the Deputy Commissioner will cause the necessary enquiries to be made ; if no objection exists to the application being sanctioned, he will take an agreement from the inamdar in the form appended to this order and forward the records of enquiry together with his report to the Revenue Commissioner who will submit the same with his opinion for the orders of Government.

II. When Government have authorised the extension, under Section 236 of the Land Revenue Code, of the provisions of Chapters VIII to X of the said Code to any such village, the Superintendent of Survey shall include the work in the Survey programme and intimate to the holder the earliest date on which it will be possible for him to take it up with due regard to economy and urgency. If the taluk in which the inam village is situated is nearly ready for revision the operations will be made to synchronize, as far as possible, with the revision of settlement in the manner most advantageous to Government and to the inamdar. If the revision of the survey of the taluk is not due for a long time more and the survey and settlement of the inam village by itself is likely to entail undue cost and inconvenience on account of its remoteness from the tracts where the survey establishments are at work, the Superintendent of Survey will inform the inamdar of the fact. Should the inamdar be unwilling to have the operations postponed to suit the general programme of survey work, the Superintendent at his discretion may arrange to have the work taken up as soon as it may be convenient on the inamdar paying such cost, as may be fixed by the Superintendent, to meet the expenses of the special establishment that may have to be deputed for introducing survey and settlement into the inam village. Such payment will ordinarily be excused when the revision settlement of the taluk in which the village is situated has taken place within the previous decade.

III. The holder of the alienated or kayamgutta village and the raiyats concerned shall furnish the usual help in the shape of flag-holders, erection of boundary marks, etc. And before the operations are commenced he shall be required to deposit such sum as may be fixed by the Superintendent of Survey to cover the cost of paid labour that may have to be employed for measurement and the erection of boundary marks in case the inamdar or his raiyats fail to render timely help. If such help be rendered, the amount deposited will be refunded to the inamdar on the completion of the work either wholly, or if it had been necessary to engage any labour, such balance of it as may remain after defraying the cost thereof. Any sum thus expended on labour will be refunded to the inamdar after it is recovered from the raiyats concerned through the Revenue authorities under the provisions of the Land Revenue Code.

IV. The inamdar or his agent and the village servants shall be bound to remain in the village during the progress of the measuring and classing operations and render every reasonable help towards the speedy completion of the work. The inamdar will be liable for any extra expenditure that may be caused by his failure to do so or by any other neglect, delay or default on his part and the same will be recoverable as an arrear of land revenue and as a first charge on the village.

V. As soon as the Survey Department is in a position to estimate the probable effect of the settlement, it will intimate the same to the inamdar, who will then have the option of deciding whether the operations should be continued

and the survey rates adopted or further proceedings stopped. In the latter case, the inamdar shall be liable for the cost of the measurement, classification and other preliminary operations that may have been carried out till then and in default of payment, the amount will be recovered from him as an arrear of land revenue. Should the inamdar agree to the introduction of the survey rates, the cost of the operations will be borne by Government (unless as provided in Rule II the work has not been carried on in the usual course of the Survey programme) and any amount that may have been deposited by the inamdar will be refunded to him subject to such deductions as it may be liable on account of paid labour or other charges which have been specially incurred.

VI. When the application is for the introduction merely of detailed survey into the village and not of settlement also in addition, the cost thereof shall be paid by the inamdar. In case the inamdar should apply subsequently for the introduction of settlement into the village only such part of the cost that has been recovered from him as may remain after deducting any extraordinary expenditure that may have been caused by the delay in applying for settlement will be refunded to him.

2. A Kanarese translation of the revised form of agreement as shown in the Appendix will be sent to the Superintendent, Government Press, who is requested to print the same and furnish copies to Deputy Commissioners, as they require.

C. S. BALASUNDARAM IYER,
Offg. Secy. to Govt., Gen. & Rev. Depts.

To—The Superintendent, Revenue Survey and Settlement.
The Revenue Commissioner in Mysore.
The Deputy Commissioners of Districts.
The Superintendent, Government Press.

APPENDIX.

Agreement made by
Inamdar of the village of
Taluk District

Whereas I have applied to Government that, under Section 236 of the Mysore Land Revenue Code, 1888, the provisions of Chapters VIII to X of that Code may be extended to my aforesaid village of
I do hereby for myself, my heirs, executors and administrators agree in the event of my application being granted to the following conditions.

1. That after my application is sanctioned, I myself or my agent will be present at the village together with the village officers during the progress of the survey and measuring operations and render every reasonable help towards the speedy and satisfactory completion of the work in accordance with the directions of the Superintendent of Survey.

2. That in case the survey work is in any way impeded either by my failure to render the aforesaid help or through my negligence or delay otherwise and any extra expenditure is thereby caused, such cost as may be fixed by the Superintendent of Survey may be recovered from me as a primary charge on my revenues and my holdings.

3. That in order to meet the cost of any paid labour to be entertained in the event of my or my raiyats' failing to render timely help during the course of survey operations or erection of boundary marks, I will deposit in the Taluk Treasury such amount as may be fixed by the Superintendent of Survey and produce the treasury receipt for the same within fifteen days from the service of notice requiring me to deposit the sum. The balance of the deposit, if any, after meeting the

above charges should be refunded to me. But if it falls short of the cost that may be incurred by any amount the same may be recovered from me according to law.

4. That after my application is sanctioned, it shall be within the discretion of the Superintendent of Survey to fix the time for the commencement of survey operations in my village and he may, if necessary, require any extra expenditure that may have to be incurred in carrying them on otherwise than in connection with the ordinary Survey programme, to be paid in advance.

5. That in the event of my not agreeing on the estimate of the probable effect of the survey and settlement being intimated to me by the Survey Superintendent to the extension of the survey and settlement to my said village, I will pay the cost of measurement, classification and preliminary operations which have been incurred as fixed by the Superintendent of Survey. In case of my failure to pay the costs, the same may be recovered from me as a first charge on my village.

6. That in case of my agreeing to the introduction of the rates fixed by the Survey Department on the conclusion of the survey operations, Government should bear the costs of the survey and settlement excepting, however, the charges referred in the foregoing paragraphs as well on the first occasion of the same being effected after the date of this agreement as also hereafter whenever any revision survey or settlement is introduced into my village by order of Government according to law.

7. That I will pay the salaries and perquisites of the village officers of the said village according to the scale and in the manner prescribed from time to time for the payment of the village officers of unalienated villages.

8. That I will from time to time at my own expense cause to be prepared and furnished with punctuality such periodical or other agricultural and vital statistics concerning the said village as may be required by the Deputy Commissioner and that in the event of my failure at any time to discharge this obligation the Deputy Commissioner may make such arrangements as he deems fit for obtaining such statistics as aforesaid and the costs which he incurs in so doing shall be a first charge on my revenues recoverable in such manner as the Deputy Commissioner may direct.

Signature.

Executed at this of 19 .

Signed by in the presence of